

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

OCEANIA III CONDOMINIUM
ASSOCIATION, INC.

Case No.: 1:22-cv-23681-RNS

Plaintiff,

vs.

WESTCHESTER SURPLUS LINES
INSURANCE COMPANY and
EVEREST INDEMNITY INSURANCE
COMPANY,

Defendants.

/

**DEFENDANT, WESTCHESTER SURPLUS LINES INSURANCE COMPANY'S
PROPOSAL FOR SETTLEMENT TO PLAINTIFF PURSUANT TO FLA. STAT. §
768.79 AND FLA. R. CIV. P. 1.442**

Defendant, WESTCHESTER SURPLUS LINES INSURANCE COMPANY (“WESTCHESTER”), by and through its undersigned counsel and pursuant to Fla. R. Civ. P. 1.442 and Fla. Stat. § 768.79, serves its proposal for settlement to Plaintiff, OCEANIA III CONDOMINIUM ASSOCIATION, INC. (“OCEANIA”), and states as follows:

1. This Proposal for Settlement is made by WESTCHESTER to OCEANIA pursuant to Fla. R. Civ. P. 1.442 and Fla. Stat. §768.79.

2. This Proposal is not to be construed as an admission of coverage and/or that WESTCHESTER is liable in this action for the damages claimed by Plaintiff, OCEANIA.

3. WESTCHESTER will pay **Five Hundred Dollars and Zero Cents (\$500.00)** in full and complete settlement of OCEANIA'S claims as alleged in the operative Complaint in this matter against WESTCHESTER in exchange for OCEANIA filing the appropriate papers to

effectuate dismissal of the lawsuit with prejudice against WESTCHESTER. The check would be made payable to **“Oceania III Condominium Association, Inc. and the Morgan Law Group, P.A.”**

4. The offer of **Five Hundred Dollars and Zero Cents (\$500.00)** shall be in full and complete settlement of the claims arising out of the facts, damages, and claims alleged in the operative Complaint against WESTCHESTER. Attorney's fees are a portion of the legal claim found in the operative Complaint against WESTCHESTER. This proposal resolves all damages that would otherwise be awarded in final judgment against WESTCHESTER. This offer is inclusive of interest, attorneys' fees, paralegal fees, and litigation costs against WESTCHESTER as they are pled. This offer is exclusive of punitive damages as none are pled.

5. OCEANIA shall have thirty (30) days from the date of service to accept this Proposal of Settlement, as provided for by Fla. Stat. § 768.79 and Fla. R. Civ. P. 1.442. Otherwise, this Proposal for Settlement will be deemed rejected and could subject OCEANIA to an award of attorneys' fees and costs in accordance with Fla. Stat. §768.79 and Fla. R. Civ. P. 1.442.

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LINES INSURANCE COMPANY

CERTIFICATE OF SERVICE

I certify that a copy hereof has been furnished to:

Jesmany Jomarron, Esq.
William McCaughan, Jr., Esq.
The Morgan Law Group
55 Merrick Way, Suite 404
Coral Gables, Florida 33134
Attorneys for Plaintiff

by E-Mail on January 13, 2023.



CHRISTOPHER M. RAMEY, ESQ.